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EXAMINER
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SCHNURR, JOHN R

ART UNIT	PAPER NUMBER
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2421

NOTIFICATION DATE	DELIVERY MODE
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02/04/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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### DETAILED ACTION

1. This Office Action is in response to the Pre-Appeal Conference decision to reopen prosecution. Claims 3-10 are pending and have been examined.

#### *Response to Arguments*

2. Applicant's arguments with respect to claims 3-10 have been considered but are moot in view of the new ground(s) of rejection.

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **3-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over

**Hendricks et al. (US Patent 7,134,131)**, herein Hendricks, in view of **LaJoie et al. (US Patent 6,772,433)**, herein LaJoie.

Consider **claim 3**, Hendricks clearly teaches a television receiver comprising:

a display section; (**Fig. 3: column 5 lines 13-18**)

a receiving section adapted to receive television broadcasting signals corresponding to a plurality of channels, and operable to extract one of the television broadcasting signals corresponding to a selected one of the channels; (**Fig. 3: A receiver module, column 5 lines 32-39, receives broadcast programming from the national broadcaster 110, Fig. 1. The receiver module may include one or more receivers. A tuner 166, coupled to the receiver module, tunes to an appropriate channel to display a program provided by the national broadcaster.**)

a display control section (**Fig. 3: Processor controls operation of the components, column 5 lines 13-15**) operable to cause the display

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section to display either an image of being broadcasted by the extracted one of the television broadcasting signals, **(Fig. 3: A display, column 5 lines 15-17, displays the programming provided by the national broadcaster.)** or a synthesized image in which an OSD image is superposed on the broadcasting image; **(Fig. 8 col. 17 lines 42-56)**

a watching reserving section operable to store watching reserving information designating a watching starting time and one of the channels; **(Fig. 3: A memory, column 5 lines 19-23, stores programming instructions and other information related to receiving and watching broadcast programs. An automatic tune command, column 33 lines 5-8, causes the tuner 166 to be tuned to the appropriate broadcast channel prior to the start time of the program. This is evidence that a watching reserving section stores watching reserving information that includes starting time and a channel)**

a watching reserving executing section operable to automatically cause the display control section to display the broadcasted image in the display section, in a case where the one of the channels designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached. **(Fig. 3: An automatic tune command, column 33 lines 5-8, causes the tuner 166 to be tuned to the appropriate broadcast channel prior to the start time of the program. A display, column 5 lines 15-17, displays the programming provided by the national broadcaster.)**

However, Hendricks does not explicitly teach displaying the reserved broadcasted image when the starting time is reached and a synthesized image is displayed in the display section.

In an analogous art, LaJoie, which discloses a system for receiving television programming, clearly teaches displaying a reserved broadcasted image when the starting time of a reserved program is reached and a synthesized image is displayed in the display section. **(Fig. 28 col. 31 lines 45-47; Fig. 30 col. 32 lines 21-27)**

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Hendricks by displaying a reserved broadcasted image when the starting time of a reserved program is reached and a synthesized image is displayed in the display section, as taught by LaJoie, for the benefit of displaying the requested content from the start of the program.

Consider **claim 4**, Hendricks clearly teaches a television receiver comprising:

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a display section; **(Fig. 3: column 5 lines 13-18)**

a receiving section receive television broadcasting signal signals corresponding to a plurality of channels, and operable to extract one of the television broadcasting signals corresponding to a selected one of the channels; **(Fig. 3: A receiver module, column 5 lines 32-39, receives broadcast programming from the national broadcaster 110, Fig. 1. The receiver module may include one or more receivers. A tuner 166, coupled to the receiver module, tunes to an appropriate channel to display a program provided by the national broadcaster.)**

a display control section **(Fig. 3: Processor controls operation of the components, column 5 lines 13-15)** operable to cause the display section to display of either an image being broadcasted by the extracted one of the television broadcasting signals, **(Fig. 3: A display, column 5 lines 15-17, displays the programming provided by the national broadcaster.)**

a watching reserving section operable to store watching reserving information designating a watching starting time and one of the channels; **(Fig. 3: A memory, column 5 lines 19-23, stores programming instructions and other information related to receiving and watching broadcast programs. An automatic tune command, column 33 lines 5-8, causes the tuner 166 to be tuned to the appropriate broadcast channel prior to the start time of the program. This is evidence that a watching reserving section stores watching reserving information that includes starting time and a channel)**

However, Hendricks does not explicitly teach a watching reserving executing section operable to automatically cause the display control section to reduce the size of the OSD image, in a case where the one of the channels designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached, and the synthesized image is displayed in the display section.

In an analogous art, LaJoie, which discloses a system for receiving television programming, clearly teaches a watching reserving executing section operable to automatically cause the display control section to reduce the size of the OSD image, in a case where the one of the channels designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached, and the synthesized image is

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displayed in the display section. **(Fig. 28 col. 31 lines 45-47; Fig. 30 col. 32 lines 21-27)**

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Hendricks by causing the display control section to reduce the size of the OSD image, in a case where the one of the channels designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached, and the synthesized image is displayed in the display section, as taught by LaJoie, for the benefit of displaying the requested content from the start of the program.

Consider **claim 5**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 3, further comprising a setting section operable to invalidate the automatic operation of the watching reserving executing section. **(After a subscriber has selected a program, column 34 lines 7-9, the system determines if a cancel program order has been received, column 34 lines 31-59. Receipt of said cancel program order causes the system to tune away from the de-authorized program. Hendricks)**

Consider **claim 6**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 4, further comprising a setting section function operable to invalidate the automatic operation of the watching reserving executing section. **(After a subscriber has selected a program, column 34 lines 7-9, the system determines if a cancel program order has been received, column 34 lines 31-59. Receipt of said cancel program order causes the system to tune away from the de-authorized program. Hendricks)**

Consider **claim 7**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 3, further comprising the OSD image includes an image based on electronic program guide information contained in the received television broadcasting signals. **(Fig. 8 Hendricks)**

Consider **claim 8**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 4, further comprising the OSD image includes an image based on electronic program guide information contained in the received television broadcasting signals. **(Fig. 8 Hendricks)**

Consider **claim 9**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 3, further comprising a case where one of the channels which is not designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached, the watching reserving executing section is operable to

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cause the display control section to display a message to inform that the watching starting time has come in the display section in a superposed manner. **(Fig. 30 Banner 588 col. 32 lines 18-21 LaJoie)**

Consider **claim 10**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 4, further comprising a case where one of the channels which is not designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached, the watching reserving executing section is operable to cause the display control section to display a message to inform that the watching starting time has come in the display section in a superposed manner. **(Fig. 30 Banner 588 col. 32 lines 18-21 LaJoie)**

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN R. SCHNURR whose telephone number is (571)270-1458. The examiner can normally be reached on Monday - Friday, 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/  
Supervisory Patent Examiner, Art Unit 2421

JRS